

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:23-CV-00493-FL**

INTERDIGITAL INC.,)	
INTERDIGITAL VC HOLDINGS, INC.,)	
INTERDIGITAL PATENT HOLDINGS,)	
INC., and)	
INTERDIGITAL MADISON PATENT)	
HOLDINGS SAS,)	
Plaintiffs,)	MOTION TO DISMISS
v.)	Fed. R. Civ. P. 12(b)(6)
)	
LENOVO GROUP LIMITED,)	
LENOVO (UNITED STATES) INC., and)	
MOTOROLA MOBILITY LLC,)	
Defendants.)	
)	

**DEFENDANTS LENOVO (UNITED STATES) INC. AND MOTOROLA MOBILITY
LLC’S MOTION TO DISMISS COUNTS IV AND V OF THE COMPLAINT WITH
PREJUDICE PURSUANT TO FED. R. CIV. P. 12(B)(6)**

InterDigital, Inc., InterDigital VC Holdings, Inc., InterDigital Patent Holdings, Inc., and InterDigital Madison Patent Holdings SAS (collectively, “InterDigital” or “Plaintiffs”) accuses Lenovo (United States) Inc. and Motorola Mobility LLC (collectively, “Lenovo”)¹ of infringing five patents. Compl., ECF No. 1, ¶¶ 86, 99. At least two of these patents are not drawn to patent-eligible subject matter under 35 U.S.C. § 101. Namely, the claims of U.S. Pat. No. 9,173,054 (“the ’054 patent”) and U.S. Patent No. 8,737,933 (“the ’933 patent”) embody the abstract idea of wirelessly transferring data and lack an inventive concept sufficient to make the claims patent eligible. Consequently, pursuant to Fed. R. Civ. P. 12(b)(6), Lenovo respectfully moves the Court to dismiss with prejudice Counts IV and V of InterDigital’s Complaint, which

¹ This motion is on behalf of defendants Lenovo (United States) Inc. and Motorola Mobility LLC and not on behalf of Lenovo Group Limited.

allege that Lenovo infringes the '054 and '933 patents because these patents are not directed to patent-eligible subject matter under 35 U.S.C. § 101. F.R.C.P. 12(b)(6).

The grounds for this motion are set forth more fully in the memorandum submitted herewith.

This 10th day of October 2023.

/s/ Raymond M. Bennett

Raymond M. Bennett (NC Bar No. 36341)
WOMBLE BOND DICKINSON (US) LLP
555 Fayetteville Street, Suite 1100
Raleigh, North Carolina 27601
Telephone: 919-755-2158
Facsimile: 919-755-6068
Ray.Bennett@wbd-us.com

Jacob S. Wharton (NC Bar No. 37421)
WOMBLE BOND DICKINSON (US) LLP
One West 4th St.
Winston-Salem, North Carolina 27601
Telephone: 919-747-6609
Facsimile: 336-726-6985
Jacob.Wharton@wbd-us.com

Adam Shartzer
FISH & RICHARDSON
1000 Maine Ave SW
Washington, D.C. 20024
Telephone: 202-626-6380
shartzer@fr.com
Special Appearance Pursuant to L.R. 83.1
Forthcoming

Jack R. Wilson IV
FISH & RICHARDSON
1000 Maine Ave SW
Washington, D.C. 20024
Telephone: 202-626-6415
jwilson@fr.com
Special Appearance Pursuant to L.R. 83.1
Forthcoming

*Lenovo (United States) Inc. and Motorola Mobility
LLC*